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PRESS RELEASE

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FEDERAL JUDGE IMPOSES MAXIMUM SENTENCE IN GUN AND DRUG CASE

RE: UNITED STATES v. JEREMIAH K. CLARK
03-CR-018-S

Acting United States Attorney Kathleen M. Mehlretter announced today that Jeremiah K. Clark, age 37, of Lockport, New York was sentenced as a result of his July 29, 2005 conviction after trial of one count of unlawfully, knowingly possessing a firearm after having previously been convicted of a crime punishable by imprisonment for a term exceeding one year and one count of unlawfully possessing a controlled substance as a felony, in violation of Title 18, United States Code, Section 922(g)(1) and Title 21, United States Code, Section 844(a) respectfully. Clark was sentenced by the Honorable William M. Skretny, United States District Judge for the Western District of New York to a period of 120 months (10 years) incarceration with regard to the firearm count and a period of 36 months (3 years) incarceration with regard to the controlled substance count. Judge Skretny ordered that the sentences be run consecutive to each other for a total period of incarceration of 156 months or 13 years. This represents the maximum possible sentence

for each conviction. The Judge also ordered that the defendant serve a period of 3 years supervised release after he completed his period of incarceration and assessed the defendant a \$100 Special Assessment for each count of conviction.

Acting United States Attorney Kathleen M. Mehlretter noted that this case arose and is part of the United States Attorneys Office for the Western District of New York's Project Exile Program. Project Exile involves a cooperative effort between, in this case the Niagara County District Attorney's Office and the United States Attorney's Office for the Western District of New York with regard to the prosecution of firearm offenses. In instances, such as the present case, where the prosecution of a firearm offense would result in a potentially greater penalty if prosecuted federally, the Niagara County District Attorney's Office has agreed to cooperate with the United States Attorney's Office for the Western District of New York in the federal prosecution of such case. This present conviction is an example of such cooperation.

Assistant United States Richard P. Maigret, who was the trial attorney for the case, stated that the defendant was initially arrested on November 16, 2002 by members of the Lockport, New York Police Department, assisted by members of the Niagara County Sheriff's Department, when they responded to a 911 call of a "man with a gun" outside of Gonzo's Bar in Lockport, New York. When the police arrived at the scene, they discovered the defendant in the area indicated by the caller and upon investigation found him to be in possession of a loaded Smith and Wesson, model 19, .357 caliber revolver.

After the defendant was arrested, he was transported to the Lockport Police Department in the rear of a Niagara County Deputy Sheriff's vehicle. The Niagara County Deputy Sheriffs, upon taking the defendant from the vehicle discovered that he had

attempted to secrete an amount of cocaine in the rear of the vehicle.

A criminal record check of the defendant, subsequent to his arrest, determined that Mr. Clark had previously been convicted of five prior offenses punishable by imprisonment for a term exceeding one year, that is felony offenses.

Assistant United States Attorney Maigret also noted that at the time of his arrest, the defendant was on New York parole for a prior felony conviction. He was subsequently violated for such conviction and sentenced to a period of incarceration as a result.

Assistant United States Attorney Maigret stated that this investigation was conducted by Special Agents of the Bureau of Alcohol, Tobacco, Firearms and Explosives from the Buffalo Field Office, assisted by members of the Lockport Police Department and the Niagara County Sheriff's Department.